

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

An evidentiary hearing on a petition for violation of supervised release in this case was scheduled before the undersigned Magistrate Judge on May 16, 2006. The United States was represented by Assistant United States Attorney Patricia Lally, and the defendant by Mr. Robert Gombiner. The proceedings were recorded on cassette tape.

The defendant had been charged and convicted of Conspiracy to Distribute Cocaine. On or about September 1, 2005, defendant was sentenced by the Honorable Thomas S. Zilly to a term of eighteen (18) months in custody, followed by four (4) years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, substance-abuse treatment participation, DNA collection; no possession of a firearm or destructive device; mandatory drug testing; not to reenter the United States without the permission of the Bureau of Immigration and Customs Enforcement, and financial disclosure.

In a Petition for Warrant or Summons, and a Notice of Violation and Request for Warrant

**REPORT AND RECOMMENDATION OF
U.S. MAGISTRATE JUDGE AS TO ALLEGED
VIOLATIONS OF SUPERVISED RELEASE
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01 both dated April 4, 2006, U.S. Probation Officer Todd A. Sanders asserted the following
02 violation by defendant of the conditions of his supervised release:

03 Violation No. 1: Illegally reentering the United States on or before March 14, 2006, in
04 violation of the standard condition that he not commit another federal, state, or local crime.

05 The defendant was advised of his rights, admitted to the alleged violation,

06 I therefore recommend that the Court find the defendant to have violated the terms and
07 conditions of his supervised release as to violation No. 1, and that the Court conduct a hearing
08 limited to disposition. A disposition hearing on this violation has been set before the Honorable
09 Thomas S. Zilly on Thursday, June 1, 2006, at 11:00 a.m.

10 Pending a final determination by the Court, the defendant has been detained.

11 DATED this 16th day of May, 2006.



12 JAMES P. DONOHUE
13 United States Magistrate Judge

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15 cc: District Judge: Honorable Thomas S. Zilly
16 AUSA: Ms. Patricia C. Lally
17 Defendant's attorney: Mr. Robert H. Gombiner
18 Probation officer: Mr. Todd Sanders
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